

REMARKS

Applicants respectfully request consideration of this application based upon the foregoing amendments and the following remarks.

Claims 27–54 are pending. The Oct. 31, 2006 Office Action (“Office Action”) rejected claims 27, 28, 30, 36, 37, 38, 40, and 46–54 under 35 U.S.C. § 103(a) as being unpatentable over European Patent Application Publication EP 860 978 A2 (“Fukusaka et al.”) in view of U.S. Patent No. 6,005,613 (“Endsley et al.”). The Office Action also rejected claims 29, 32, 39, and 42 under 35 U.S.C. § 103(a) as being unpatentable over Fukusaka et al. in view of Endsley et al., and further in view of U.S. Patent No. 5,864,411 (“Norris”). The Office Action also rejected claims 31 and 41 under 35 U.S.C. § 103(a) as being unpatentable over Fukusaka et al. in view of Endsley et al., and further in view of U.S. Patent No. 6,542,184 (“Driscoll, Jr. et al.”). The Office Action also rejected claims 33–35 and 43–45 under 35 U.S.C. § 103(a) as being unpatentable over Fukusaka et al. in view of Endsley et al., and further in view of U.S. Patent No. 6,690,415 (“Mamiya”). Applicants respectfully traverse these rejections.

This paper amends independent claims 27, 37, 47–54. Amended claims 27 and 37 recite “an image input system . . . comprising,” *inter alia*, “a transmitting unit . . . adapted to transmit information indicating an operation mode set in said image input device to said computer when the power of said image input device is turned on *by a user* after said image input device is connected to said computer in a state that the power of said image input device is turned off” (emphasis added). Similarly, amended claims 47 and 48 both recite “a method of controlling an image input system . . . comprising,” *inter alia*, “a transmitting step of . . . transmitting information indicating an operation mode set in said image input device to said computer when the power of said image input device is turned on by a user after said image input

device is connected to said computer in a caser that said image input device is connected to said computer in a state that the power of said image input device is turned off" (emphasis added). Similarly, amended claims 49 and 50 are both drawn to "a storage medium that stores a control program for controlling an image input system . . . the control program comprising," *inter alia*, "a code of transmitting step of . . . transmitting information indicating an operation mode set in said image input device to said computer when the power of said image input device is turned on by a user after said image input device is connected to said computer in a state that the power of said image input device is turned off" (emphasis added). Similarly, amended claims 51 and 52 both recite "a program product that comprises a control program for controlling an image input system . . . said control program comprising," *inter alia*, "a code of transmitting step of . . . transmitting information indicating an operation mode set in said image input device to said computer when the power of said image input device is turned on by a user after said image input deice is connected to said computer in a case that said image input device is connected to said computer in a state that the power of said image input device is turned off" (emphasis added). Similarly, amended claims 53 and 54 both recite "an image input device . . . comprising," *inter alia*, "a transmitting unit . . . adapted to transmit information indicating an operation mode set in said image input device to said computer when the power of said image input device turn on by a user after said image input device is connected to said computer in a case that said image input device is connected to said computer in a state that the power of said image input device is turned off" (emphasis added).

The Office Action admits that Fukusaka et al., the primary reference in each one of the rejections, does not teach the limitations mentioned above that are respectively recited in independent claims 27, 37, and 47–54. *See* Office Action at 9. (Prior to this paper, these

limitations did not include the “by a user” language.) The Office Action relied exclusively on Endsley et al. to try to cure the deficiency of Fukusaka et al. with respect to these limitations. (The Office Action relied on Norris, Driscoll, Jr. et al. and Mamiya to try to meet the additional limitations recited in certain dependent claims.) The Office action points to the teachings in col. 6, ll. 5–10 of Endsley et al. However, in these lines the reference only teaches that a camera transmits certain information about the status of a shutter button to a computer. The reference does not teach that this transmission occurs when the power of the camera is turned on by a user after the camera is connected to the computer in a case that the camera is connected to the computer in a state that the power of the camera is turned off. The Office action also points to the teachings in col. 6, ll. 40–46 in the reference. These lines in the reference only teach that the camera stores default values for different configurations when the camera is first powered up, not that it transmits information indicating an operation mode to a computer when powered up. In fact, it appears that this storage of default values is a result of a transmission from the computer to the camera. See Endsley et al. col 6, ll. 62–64. Moreover, Endsley et al. discloses a camera that is powered by a computer through a USB cable. Therefore, the camera disclosed in Endsley et al. does not transmit operation-mode information when the power of the camera is turned on *by a user* after the camera is connected to the computer in a case that the camera is connected to the computer in a state that the power of the camera is turned off. The simple act of connecting the camera disclosed in Endsley et al. to a computer through a USB camera automatically turns on the camera.

Therefore Endsley et al. does not cure the deficiency of Fukusaka et al. with respect to the aforementioned limitations that are respectively recited in the independent claims.

As such, independent claims 27, 37 and 47-54 are allowable. The claims that depend from these claims are allowable for at least the same reasons that these independent claims are allowable.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 1232-4568.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 1232-4568.

Respectfully submitted,
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